

RCE 1600  
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PTO SB-30 (10-01)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	08/366083
Filing Date	December 29, 1994
First Named Inventor	Carl O. Pabo
Group Art Unit	1636
Examiner Name	T. McKelvey
Attorney Docket No	APBI-P01-022

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2

**1. Submission required under 37 CFR 1.114**

a.  Previously submitted

- Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- Other \_\_\_\_\_

b.  Enclosed

- Amendment/Reply
- Affidavit(s)/Declaration(s)
- Information Disclosure Statement (IDS)
- Other \_\_\_\_\_

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17 (e) is required by 37 CFR 1.114 when the RCE is filed

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to

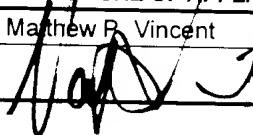
Deposit Account No. 18-1945

- RCE fee required under 37 CFR 1.17(e)
- Extension of time fee (37 CFR 1.136 and 1.17)
- Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

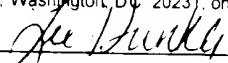
c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Matthew P. Vincent	Registration No. (Attorney/Agent)	36,709
Signature		Date	July 3, 2002

I hereby certify that this correspondence is being deposited with the U S Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box RCE, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated July 3, 2002

Signature  (Lee Dunkle)

8854770

07/10/2002 BNGUYEN1 00000039 181945 08366083

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370.00 CH

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,665.00)

## Complete if Known

Application Number	08/366083
Filing Date	December 29, 1994
First Named Inventor	Carl O. Pabio
Examiner Name	T. McKelvey
Group Art Unit	1636
Attorney Docket No.	APBI-P01-022

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None  
 Deposit Account

Deposit Account Number 18-1945

Deposit Account Name Ropes & Gray

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below except for the filing fee

to the above-identified deposit account

## FEE CALCULATION (continued)

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)		(\$ 0.00)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	55	-20** = 35 x 9.00	= 315.00
Independent Claims	3	-3** = 0 x 0.00	= 0.00
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 315.00)		

\*\*or number previously paid if greater. For Reissues, see above.

## 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2 520	147	2 520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1 840*	113	1 840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1 440	218	720	Extension for reply within fourth month	
128	1 960	228	980	Extension for reply within fifth month	980.00
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	370.00
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

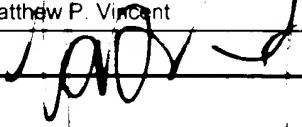
\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,350.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Matthew P. Vincent Registration No (Attorney/Agent) 36,709 Telephone (617) 951-7739

Signature  Date July 3, 2002

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Dated July 3, 2002 Signature Lee Dunkle (Lee Dunkle)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Pomerantz et al.

Serial No: 08/366,083

Filed: December 29, 1994

For: Chimeric Transcription Factors

Attorney Docket No. APBI-P01-022

Art Unit: 1636

Examiner: T. McKelvey

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

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July 3, 2002

Date of Signature  
and of Mail Deposit

  
Lee Dunkle

Commissioner of Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Sir:

Please enter the following amendments:

In the claims:

For the convenience of the Examiner, all claims being examined, whether or not amended, are presented below.

40. **(Thrice Amended)** A nucleic acid encoding a chimeric protein which binds a nucleic acid comprising a composite binding site, wherein the chimeric protein comprises two nucleic acid-binding domains, each of which binds a sequence which is a portion of the composite binding site, wherein one of the two nucleic acid-binding domains includes zinc finger motif, and wherein the chimeric protein displays nucleic acid binding specificity that is distinct from the binding specificity of the individual nucleic acid-binding domains which comprise the chimeric protein.